

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MARCUS DUMOND, HENRY BERDAT,
STUART V. and ROSEMARY STURGESS,
KATHLEEN BLAIR, WILLIAM and MARGIE
BOOTH, KAREN PEACH, and RICHARD and
EVELYN KELLER,

Plaintiffs,

v.

MASSACHUSETTS FINANCIAL SERVICES
COMPANY and MFS FUND DISTRIBUTORS,
INC.,

Defendants.

C.A. No. 04-CV-11458 (RGS)

**DEFENDANTS' ASSENTED TO MOTION FOR AN ORDER
EXTENDING TIME TO RESPOND TO COMPLAINT**

WHEREAS, on July 13, 2004, defendants Massachusetts Financial Services Company and MFS Fund Distributors, Inc. ("Defendants") filed an *Assented to Motion* for an Order extending the time by which Defendants must respond to the Complaint in the above-captioned action to August 20, 2004;

WHEREAS, on August 11, 2004, the parties filed a *Joint Motion to Transfer* the above-captioned case to the docket of the Honorable George A. O'Toole, for coordinated pre-trial proceedings with *Forsythe v. Sun Life Financial Inc., et al.*, 04-CV-10584 (GAO), *Eddings v. Sun Life Financial Inc., et al.*, 04-CV-10764 (GAO), and *Koslow v. Sun Life Financial Inc., et al.*, 04-CV-11019 (GAO), which also are pending against Massachusetts Financial Services Co.;

WHEREAS, the *Joint Motion to Transfer* is currently pending before the Court;

NOW, THEREFORE, the Defendants hereby move for an order extending the time by which they may answer, move or otherwise respond to the Complaint in this action from August 20, 2004 to September 20, 2004, so the parties may address scheduling with Judge O'Toole. Plaintiffs have assented to this motion.

Dated: August 20, 2004

Respectfully submitted,

/s/ Jonathan A. Shapiro
Jeffrey B. Rudman (BBO #433380)
William H. Paine (BBO #550506)
Jonathan A. Shapiro (BBO #567838)
WILMER CUTLER PICKERING
HALE AND DORR LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6000
*Attorneys for Defendants Massachusetts
Financial Services Company and MFS Fund
Distributors, Inc.*

SO ORDERED:

The Honorable Richard G. Stearns
United States District Judge

CERTIFICATE OF SERVICE

I, Jonathan A. Shapiro, hereby certify that I caused a copy of the foregoing *Defendants' Assented to Motion for an Order Extending Time to Respond to Complaint* to be served by first-class mail to the following:

Guy M. Burns
Jonathan S. Coleman
Becky Ferrell-Anton
Johnson, Pope, Bokor, Ruppel & Burns, L.L.P.
100 North Tampa Street, Suite 1800
Tampa, Florida 33602

Michael J. Brickman
James C. Bradley
Nina H. Fields
Richardson, Patrick,
Westbrook & Brickman LLC
174 East Bay Street
Charleston, South Carolina 29401

Lynn Lincoln Sarko
Michael D. Woerner
Gretchen F. Cappio
Keller Rohrback, LLP
1201 Third Avenue, Suite 3200
Seattle, Washington 98101

Edward F. Haber
Michelle H. Blauner
Shapiro Haber & Urmy LLP
53 State Street, 37th Floor
Boston, Massachusetts 02109

/s/ Jonathan A. Shapiro
Jonathan A. Shapiro

Dated: August 20, 2004